

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

April 30, 2001

DIVISION ONE

B139873 Stephens (Not for Publication)
v.
Bleier & Cox et al.

The appeal is dismissed.

Mallano, J.

We concur: Spencer, P.J.
Ortega, J.

B137375 Gregory (Not for Publication)
v.
Van Winkle

The order is affirmed.

Mallano, J.

We concur: Ortega, Acting P.J.
Vogel (Miriam A.), J.

B133832 Patterson (Not for Publication)
v.
California Sports, Inc., et al.

The judgment is affirmed.

Mallano, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

April 30, 2001-Continued

DIVISION ONE (Continued)

B142290 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Gerrie S., et al.

The appeals are dismissed.

Mallano, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

B140338 People (Not for Publication)
v.
Benitez

The judgment is affirmed.

Mallano, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

B142125 People (Not for Publication)
v.
Brown

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.
Vogel (Miriam A.), J.

April 30, 2001-Continued

DIVISION ONE (Continued)

B133400 Pinnacle Realty (Not for Publication)
Management Company et al.
v.
Dakota I., et al.

The order of dismissal is reversed. The trial court is directed to vacate its order sustaining defendants' demurrer to plaintiff's fifth and sixth causes of action. It is further directed to vacate that portion of its March 29, 1999 order granting summary adjudication of plaintiffs' third, seventh and eighth causes of action. Plaintiffs are to recover costs on appeal.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
Mallano, J.

DIVISION TWO

B138900 Pacific Ace Realty Development Co. (Not for Publication)
v.
Amecor Holding Corporation

The judgment is modified to delete the punitive damages award of \$50,000. In all other respects, the judgment of December 3, 1999 is affirmed. Parties to bear their own costs on appeal.

Boren, P.J.

We concur: Cooper, J.
Todd, J.

April 30, 2001-Continued

DIVISION TWO (Continued)

B142126 People (Not for Publication)
v.
Jose Luis Campos

The judgment is affirmed.

Boren, P.J.

We concur: Cooper, J.
Todd, J.

B142847 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Sammie S.
In re Jonathan S., a Person Coming Under the Juvenile Court Law

The judgment is affirmed.

Boren, P.J.

We concur: Cooper, J.
Todd, J.

DIVISION THREE

B130174 Pudelek et al. (Not for Publication)
v.
L.A. County Metropolitan Transportation Authority et al.

The order of dismissal is affirmed. The parties are to bear their respective costs on appeal.

Klein, P.J.

We concur: Kitching, J.
 Perluss, J. (Assigned)

April 30, 2001-Continued

DIVISION THREE (Continued)

B139847 People (Not for Publication)
v.
Clark

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B134742 Henkel Corporation (Certified for Publication)
v.
Lloyd's of London, etc., et al.

The summary judgment entered on July 13, 1999, in favor of Rhone and the Insurers is reversed. The matter is remanded for further proceedings not inconsistent with the views expressed therein. Henkel shall recover its costs on appeal.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

B143223 People (Not for Publication)
v.
Ross

The judgment is affirmed.

Croskey, Acting P.J.

We concur: Aldrich, J.
Fidler, J. (Assigned)

DIVISION THREE (Continued)

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The judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.
Fidler, J. (Assigned)

B131509 Michael (Certified for Publication)
v.
Aetna Life & Casualty Insurance Co., et al.

The order vacating the appraisal award is reversed and the matter is remanded to the trial court with directions to set aside the order vacating the appraisal award and to enter a new order confirming that award. Costs on appeal are awarded to respondent Aetna Life & Casualty Insurance Company. Michael's request for sanctions is denied.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

B138156 People (Not for Publication)
v.
Maxwell

The judgment of conviction is affirmed and the matter is remanded for resentencing in accordance with the views expressed above.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

DIVISION FOUR

B144727 People (Not for Publication)
v.
Hernandez

For the foregoing reasons, the judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

B143381 Acosta et al. (Certified for Publication)
v.
Synthetic Industries, Inc.
Alvarez et al.
v.
Synthetic Industries, Inc.

The judgment in favor of defendant is reversed. The trial court's order granting the motion for summary adjudication as to the cause of action for strict liability is reversed and the matter remanded to the trial court for further proceedings. The order granting defendant's motion for summary adjudication as to the causes of action for fraud and negligent misrepresentation is affirmed. Plaintiffs are to recover their costs on appeal.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Hastings, J.

DIVISION FIVE

B138246 Bobby Ruffin (Not for Publication)
v.
Wall Street Properties

The judgment is affirmed.

Armstrong, J.

We concur: Grignon, Acting P.J.
Willhite, J. (Assigned)

DIVISION SIX

B146075 People (Not for Publication)
v.
Powers

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

B142172 Turner et al. (Not for Publication)
v.
Turner et al.

The judgment is affirmed. Costs are awarded to Shana and Bryan Turner.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

April 30, 2001-Continued

DIVISION SIX (Continued)

B141153 Williams (Not for Publication)
v.
Madden et al.

The judgment is affirmed. Costs are awarded to respondents.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

B143823 People (Not for Publication)
v.
Mendoza

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

DIVISION SEVEN

B146169 People (Not for Publication)
v.
William Tagger Jr.

The judgment is affirmed.

Boland, J. (Assigned)

We concur: Lillie, P.J.
Woods, J.

April 30, 2001-Continued

DIVISION SEVEN (Continued)

B145981 People (Not for Publication)
v.
Russell King, Jr.

The judgment is affirmed.

Woods, J.

We concur: Johnson, Acting P.J.
 Boland, J. (Assigned)

B141029 People (Not for Publication)
v.
Schloesser

The judgment is affirmed. The superior court shall cause its clerk to strike the reference in the abstract of judgment to the Penal Code section 667.5, subdivision (b), enhancement (one-year enhancement for the separate prison term) as it was stricken at sentencing. The court shall cause its clerk to send the amended abstract of judgment to the Department of Corrections.

Woods, J.

We concur: Lillie, P.J.
Johnson, J.

B136105 Alfieris et al. (Not for Publication)
v.
Fire Insurance Exchange et al.

The judgment is affirmed. Respondents to recover costs on appeal.

Woods, J.

I concur: Lillie, P.J.
I concur in the judgment only: Johnson, J.

April 30, 2001-Continued

DIVISION SEVEN (Continued)

B142715 Steinhauer (Not for Publication)

V.

District Attorney's Office of the County of Los Angeles et al.

The judgment is affirmed. Respondents are entitled to costs of appeal.

Woods, J.

We concur: Lillie, P.J.
Johnson, J.

B144893 Los Angeles County, D.C.F.S. (Not for Publication)

V.

Jeannine B.,

In re Timothy A., a Person Coming Under the Juvenile Court Law.

The judgment is affirmed.

Boland, J. (Assigned)

We concur: Johnson, Acting P.J.
 Woods, J.